

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

ANDREW DAVID CONNER,

Plaintiff,

vs.

WARDEN LEROY KIRKEGARD, et al.,

Defendants.

CV 15-00081-H-DLC-JTJ

ORDER

Plaintiff Andrew Conner, an inmate proceeding in forma pauperis and without counsel, filed a Motion to Waive Local Rule 7.1(c). (Doc. 31.) Mr. Conner requests that the Court waive the requirement that when filing a motion, “[t]he text of the motion must state that other parties have been contacted and state whether any party objects to the motion.” L.R. 7.1(c). Mr. Conner contends that his incarceration restricts his access to adequately communicate with opposing counsel as required by L.R. 7.1(c). (Doc. 31.) Lack of access to a telephone and defense counsel’s refusal to accept collect phone calls, does not excuse this requirement. Mr. Conner is still required to write counsel and ask whether they object to any motion he intends to file. If counsel does not respond within a week of mailing the letter, Mr. Conner may file his motion. The Court will not waive this requirement.

Accordingly, IT IS HEREBY ORDERED that Mr. Conner's Motion to Waive Local Rule 7.1(c) (Doc. 31) is **DENIED**.

DATED this 5th day of October 2016.

/s/ John Johnston
John Johnston
United States Magistrate Judge